

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,	:	CASE NO. 1:19-CR-761
	:	
Plaintiff,	:	
	:	JUDGE JAMES S. GWIN
vs.	:	
	:	
THOMAS DEBARDELABEN,	:	<u>DEFENDANT’S UNOPPOSED</u>
	:	<u>MOTION TO CONTINUE HEARING</u>
Defendant.	:	<u>FOR CHANGE OF PLEA</u>

Defendant, through counsel, respectfully moves this Honorable Court to continue the change of plea hearing in this case for at least 30 days. The change of plea hearing is presently scheduled for May 21, 2020. The reason for this request is related to the COVID-19 pandemic.

As of the date of this motion, the President has declared a national public health emergency, and the Governor of the State of Ohio has declared a public health emergency throughout the state and issued a “stay at home” order for 2 weeks to go into effect at 11:59 p.m. on March 23, 2020, both in response to the spread of the Coronavirus Disease 2019 (COVID-19). The Governor of the State of Ohio has since extended the “stay at home” until May 29, 2020. The Centers of Disease Control and Prevention (CDC) and other health authorities have advised people to take precautions to reduce the exposure to COVID-19 and to slow the spread of the disease. An important part of the CDC recommendations is social distancing: keeping an appropriate physical distance between people, and particularly in public settings.

This Court has issued a General Order 2020-05, which addresses the urgency of the COVID-19 pandemic and the need to adjust criminal trial calendars in acknowledgement of the

national threat from the virus. On March 23, 2020, this Court issued an Amended General Order 2020-05-01, which addresses the urgency of reducing the size of public gatherings and reduce unnecessary travel and the need to close the Court to the public until May 1, 2020. The Court has since issued an Amended General Order 2020-05-02 which extends the previous Order until June 12, 2020. Mr. Debardeleben is currently on pretrial release, and had no issues with following the terms of his bond. Defense counsel has spoken with Assistant United States Attorney Payum Doroodian who has indicated the government does not oppose this request.

Based on the foregoing, Mr. Debardeleben respectfully requests an Order from this Court continuing the sentencing hearing in this case for 30 days.

Respectfully submitted,

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/s/ Jeffrey B. Lazarus
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